IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 476 OF 1992

Union of India ..Appellants

versus

M/s. Sakharana Bhaurao Manmad ..Respondents

Mr. A. N. Samant for the Appellants.

Mr. G. J. Mohanrao for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 31ST MARCH, 2005

ORAL ORDER :

1. Heard learned counsel for the parties.

2. Counsel for the appellants contended that the Tribunal had passed a decree against both the Railways i.e. Central Railway and South Eastern Railway. That is the only point raised by counsel for the Appellants.

3. There cannot be in the circumstances, and as held by me earlier, the liability of both the railways. I have uphold similar contentions in Appeal No. 248 of 1993 decided on 17.2.2005. In

this appeal liability of Central Railway only is to be maintained.

3. In the result, the appeal is partly allowed. Decree shall be only against the Central Railway. No order as to costs.

31.3.2005 (D.G. DESHPANDE, J.)